

**Governor's Office of Homeland Security  
and Emergency Preparedness**  
State of Louisiana

JOHN BEL EDWARDS  
GOVERNOR



JAMES B. WASKOM  
DIRECTOR

**GOHSEP Crisis Leave Policy  
Policy Number: HR-0017**

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**Issue Date:** June 26, 2009  
**Revised Date:** 10/9/09, 6/19/2017

**Approval:**

  
James B. Waskom, Director

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**I. PURPOSE**

The Crisis Leave Program is established in accordance with Act 1008 passed by the Louisiana Legislature in 1992 and Senate Concurrent Resolution 54 of the 1997 Regular Session of the Legislature. The Crisis Leave Program is a means of providing paid leave during the Crisis Leave Pool Policy year to an eligible employee who has experienced a catastrophic illness or injury to himself/herself or to a family member, or a sudden and unexpected death of a family member. The intent of the program is to assist an employee who, through no fault of his/her own, has insufficient paid leave to cover the Crisis Leave period.

**II. DEFINITIONS**

A. **Eligible Personnel** – Any GOHSEP employee who is eligible to earn annual leave.

B. **Family Member**

1. An individual living in the same household who is related to the employee by kinship, adoption or marriage, or a foster child so certified by the Louisiana Office of Children's Services; or
2. An individual not living in the same household who is related to the employee by kinship, adoption, or marriage, and is dependent upon the employee for personal care or services on a continuing basis.

C. **Licensed Medical Service Provider (LMSP)** - A practitioner, as defined in the Louisiana State Licensing Law (relative to that LMSP's field of service), who is practicing within the scope of his/her license. This is to include licensed Physicians (a doctor of medicine) or MD, Doctor of Osteopathy or DO, or

licensed Chiropractors, Counselors, or Therapists, as recognized and licensed by appropriate State boards or authorities.

- D. **Catastrophic Illness or Injury** - An acute or prolonged illness, usually considered to be life threatening or with the threat of serious residual disability. Treatment may be radical and is frequently costly. Condition or combination of conditions must:
1. Affect the physical or mental health of the employee or the employee's family member;
  2. Require the services of a licensed medical service provider for a prolonged period of time; and
  3. Prevent the employee from performing his/her duties for a period of more than five (5) consecutive days and force the employee to exhaust all appropriate leave in accordance with the appropriate executive order, and to lose compensation from the State.
- E. **Leave Pool Administrator** - A human resource staff member designated by the Human Resource Director.
- F. **Crisis Leave Committee** - A committee comprised of an Assistant Deputy Director appointed annually by the Director, the Deputy Director, Chief of Staff and the Human Resource Director or his/her designee. The Committee serves to administer the Crisis Leave Program. When not otherwise specified in written policy, the Committee may recommend operational guidelines and procedures for the Crisis Leave Program.
- G. **Crisis Leave Pool Policy Year** - Calendar year - January 1 through December 31.

### III. ELIGIBILITY REQUIREMENTS

- A. An eligible employee may apply to receive Crisis Leave if the following requirements are met:
1. The employee or employee's family member suffers from a catastrophic illness or injury to himself/herself or to a family member, or a sudden and unexpected death of a family member.
  2. The employee has exhausted all appropriate leave;
  3. The employee has exhibited regular attendance (with no history of leave abuse) and is not currently absent from work due to disciplinary reasons; and
  4. All appropriate documentation demonstrating the catastrophic illness or injury to himself/herself or to a family member, or a sudden and unexpected death of a family member, was provided to the Leave Pool Administrator.

- B. An employee is not required to contribute to the Crisis Leave Pool to be eligible to receive Crisis Leave.
- C. The Crisis Leave Committee determines the amount of Crisis Leave granted for each catastrophic illness, injury, or sudden and unexpected death. The amount of leave granted to an employee will generally be based on the documentation and if applicable the information provided by the LMSP, subject to the following limits:
  - 1. A maximum of 240 hours may be granted to an employee during one calendar year.
  - 2. Crisis leave may not be granted to an individual to extend paid leave status beyond a total time in leave status of 12 weeks.
  - 3. The value of the annual leave granted as Crisis Leave during a regular workweek may not exceed 75% of the employee's pay received in that workweek.

#### **IV. DONATION PROCEDURES**

- A. Contributions to the Crisis Leave Pool are strictly voluntary; no employee shall be coerced or pressured to donate leave. An employee donating to the pool may not designate a particular employee to receive donated leave. Donations are accumulated in the pool and awarded on a first-come, first-served basis to eligible employees. Donations are limited to the following terms:
  - 1. An employee may donate a minimum of four (4) hours of annual leave (not sick or compensatory leave) at any given time; these donations must be made in whole hour increments.
  - 2. The donor must have a balance of at least 80 hours of annual leave remaining after the donation is processed.
  - 3. Donations are limited to 240 hours of annual leave per employee per calendar year.
  - 4. Donations will be deducted from the donor's leave balance and credited to the Crisis Leave Pool the first pay period following approval of the Crisis Leave Donation Form.
  - 5. Unused Crisis Leave is rolled forward to the next calendar year.
  - 6. Donations are not automatic. If an employee chooses to make a donation in consecutive calendar years, a new Crisis Leave Donation Form must be submitted each calendar year.
- B. The employee must complete a Crisis Leave Donation Form, submit it to the Leave Pool Administrator, and inform her/his immediate supervisor of the request to donate to the Crisis Leave Pool. The Leave Pool Administrator or his/her designee, will notify the employee and her/his immediate supervisor of the approval or denial of the leave donation.

## V. REQUEST PROCEDURES

- A. An employee may request leave from the Crisis Leave Pool by the submission of a Crisis Leave Request Form, which must include the employee's LMSP statement or any other supporting documentation if applicable. The document must include:
  - 1. The beginning date of the catastrophic illness or injury to himself/herself or to a family member, or a sudden and unexpected death of a family member;
  - 2. A detailed description of the catastrophic illness or injury to himself/herself or to a family member, or a sudden and unexpected death of a family member, including any requested information useful in making a final determination of eligibility;
  - 3. A prognosis for recovery, if the request is based on the employee's own, or the employee's family member's catastrophic illness or injury;
  - 4. An anticipated return to work date; and
  - 5. Documentation as requested by the Leave Pool Administrator to establish eligibility based on a catastrophic illness, injury, or sudden and unexpected death of a family member.
- B. The request and accompanying documentation is submitted to the Leave Pool Administrator. The Leave Pool Administrator shall review the request to verify that the employee is eligible to receive Crisis Leave. The employee requesting Crisis Leave must provide all requested information necessary to make a final determination of eligibility.
- C. All requests for Crisis Leave must be treated as confidential. All requests and documentation for Crisis Leave should be submitted in envelopes marked "**Confidential.**" Requests proceed directly to the Leave Pool Administrator for approval or disapproval by the Committee.
- D. Each request will be stamped with the time and day upon receipt by the Leave Pool Administrator, and handled on a first-come, first-serve basis. The request should be submitted at least seven (7) calendar days before the Crisis Leave is needed. This is necessary to allow the Leave Pool Administrator and the Committee time to receive/approve all or part of the request, or deny the request, and communicate such approval or denial to the employee and her/his immediate supervisor.
- E. If the request is approved, the Leave Pool Administrator or his/her designee will credit the approved time to employee's leave record, up to the allowable limit.
- F. Any approved Crisis Leave is used and documented in accordance with the same procedures as regular paid leave taken by the employee.

## **VI. CHANGES IN STATUS AFFECTING CRISIS LEAVE**

- A. The granting of Crisis Leave is meant to cover only the circumstances for which it was requested. If any change occurs in the nature or severity of an illness or injury, or of any other factor on which the approval was based, the employee must provide documentation describing the change to the Leave Pool Administrator.
- B. The employee may request more Crisis Leave subject to the limits outlined above; however, extensions of Crisis Leave are not automatic. The Committee must approve each extension on a first-come, first-serve basis. The Leave Pool Administrator, on behalf of the Crisis Leave Committee, will notify the employee and the immediate supervisor of the approval or denial of the request for extension.
- C. Hours granted from the Crisis Leave Pool may be used only for reasons stipulated in the approved request. The use of Crisis Leave that is not in accordance with procedures and requirements outlined in this policy may constitute payroll fraud and will be addressed accordingly.
- D. Employees who are able to return to work before using all of their granted Crisis Leave must return the unused leave to the Crisis Leave Pool.
- E. The employee must notify the Leave Pool Administrator and her/his immediate supervisor of any unused Crisis Leave to be returned to the Crisis Leave Pool.

## **VII. COMPENSATION AND BENEFITS**

- A. Crisis Leave will be awarded hour-for-hour, regardless of the giving or receiving employee's rate of pay.
- B. An employee in Crisis Leave status will be considered in partial paid leave status and will continue to receive benefits as appropriate.
- C. Employees on Crisis Leave shall not accrue annual or sick leave while using donated leave from the Crisis Leave Pool.

## **VIII. APPEALS**

- A. The decision to approve or deny Crisis Leave by the Crisis Leave Committee is final and not subject to appeal.

## **IX. QUESTIONS:**

Questions regarding this policy should be directed to the Human Resources Office.